



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/847,755      | 05/02/2001  | William Douglas Poynter | 9425                | 6062             |

26884 7590 03/25/2005

PAUL W. MARTIN  
LAW DEPARTMENT, WHQ-4  
1700 S. PATTERSON BLVD.  
DAYTON, OH 45479-0001

|          |
|----------|
| EXAMINER |
|----------|

STEVENS, THOMAS H

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2123

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/847,755

**Applicant(s)**

POYNTER, WILLIAM DOUGLAS

**Examiner**

Thomas H. Stevens

**Art Unit**

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-12 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 10 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-12 were examined.

***Response to Applicant's Arguments***

***Specification***

2. Applicants are thanked for addressing this issue. Objection is withdrawn.

***Drawings***

3. Applicants are thanked for addressing this issue. Objection is withdrawn.

***35 USC § 102 & 103***

4. Applicants are thanked for addressing this issue. Applicant's arguments are persuasive, thus rejections are withdrawn. However, new art has been cited in light of the amended claims.

***Final Rejection (2<sup>nd</sup> Office Action)***

***Claim Rejections - 35 USC § 103***

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-12 rejected under 35 U.S.C. 103 (a) as obvious by Dowling et al., (U.S. Patent 5,995,086 (1999)), in view of NEC Corporation ("Character Pattern Editor for On-Screen Display of LSI for Windows" (November (2000))). Dowling et al. teaches a method of displaying predefined characters contained in a font, which maintains their design properties over a font design axis; but doesn't teach an elaborate Windows™ on screen editor. NEC Corporation ("Character Pattern Editor for On-Screen Display of LSI for Windows") teaches a character pattern editor on-screen display for windows (title).

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify Dowling et al. by NEC Corporation since it would be advantageous to send the font display that doesn't have font multiple master typeface (NEC: pg. 34, section 3.2.2 with figures 3.3.; pg. 40, figure 3-11) which can be used automatically emulate a specified font with a high degree of accuracy (Dowling: column 1 and 2, lines 65-67, 1-2, respectively).

Claim 1. A dot matrix display design tool (Dowling: abstract), comprising: a font designer for creating a character set comprising a plurality of characters and a character design associated with each of the characters, the character design comprising a pattern of selected and (Dowling: abstract with figure 3) deselected pixel positions in a matrix of pixel positions, the font designer creating each character design in response to selections made by a user (NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1), the font designer further allowing the user to save and delete characters as desired; and a display designer comprising a text input entry interface for text input by a user and a character set selection interface to allow user selection of a selected character set for displaying the text, (NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39) the display designer further comprising an operating characteristics interface for receiving operating characteristics entries specifying operating characteristics of an operating display to be emulated (Dowling: columns 1 and 2, lines 65-67, 1-2, respectively), the display designer further including a display emulator presenting a representation of the operating displays, the representation of the operating display presenting the text input in a format reflecting the selected character set and exhibiting the operating characteristics specified by the operating characteristics entries, the display designer further including a set of editing tools to allow modification of the display in response to selections made by a user, (NEC: figure 2-6, "Image View Window" and "Hex Dump Window", page 32, Figure 3-2 and description) the editing tools supporting modification of the character set and the operating characteristics of the display, (NEC: page 31, figure 3-1 and description) modifications made using the

editing tools being reflected in the appearance of the text as presented by the display emulator.

Claim 2. The design tool of claim 1 (Dowling: abstract; Dowling: abstract with figure 3; NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37,3.2.3, sentence 1; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39) further comprising a display viewer for emulating a dot matrix display (NEC: pg. 34, section 3.2.2 with Dowling: columns 1-2, lines 65-67 and 1-2, respectively), the display viewer being operative to receive input text and a character set selection, the display viewer being further operative to display the input text in a format reflecting the character set selection, the display viewer being operative to simulate additional characteristics of a dot matrix display in displaying the input text, the display viewer being further operative to modify the additional characteristics in response to user selections (NEC: figure 2-6, "Pattern Edit Window", pg 24, (4) and figure 2-8).

Claim 3. The design tool of claim 2 (Dowling: abstract; Dowling: abstract with figure 3; NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37,3.2.3, sentence 1; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39) wherein the display emulator is a first display emulator and the display designer further comprises a second display emulator, the first and second display emulators allowing the user to simultaneously view first and second text entries and to view results (NEC: pgs. 19, 27) of independent selections and modifications relating to the first and second text entries.

Art Unit: 2123

Claim 4. The design tool of claim 3 (Dowling: abstract; Dowling: abstract with figure 3; NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; NEC: pgs. 19, 27) wherein the font designer comprises a dot matrix designer comprising an array of pixel positions to be selected or deselected by the user, the font designer allowing user selection of each of a plurality of characters and allowing the user to select use the dot matrix designer to select or deselect pixel positions to create an array of pixels to be associated with the selected character (NEC: Figure 2-6, "Pattern Edit Window", page 24, (4), page 37, 3.2.3 sentence 1).

Claim 5. The design tool of claim 4 (Dowling: abstract; Dowling: abstract with figure 3; NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; NEC: pgs. 19, 27; NEC: Figure 2-6, "Pattern Edit Window", page 24, (4), page 37, 3.2.3 sentence 1) wherein the font designer allows user specification of a character size to be associated with a character set and wherein the font designer sets dimensions of the array of pixel positions according to the character size specified by the user (Dowling: column 2, lines 27-39; NEC: Figure 2-6, "Pattern Edit Window", page 24).

Claim 6. The design tool of claim 5 (Dowling: abstract; Dowling: abstract with figure 3; NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; NEC: pgs. 19, 27;

NEC: Figure 2-6, "Pattern Edit Window", page 24, (4), page 37, 3.2.3 sentence 1)  
wherein the editing tools allow specification of contrast, pixel height and widths spacing  
between rows of pixels making up a character and spacing between columns of pixels  
making up a character (NEC: figure 2-6, "Pattern Edit Window", page 24. (4), page 37,  
3.2.3, sentence 1; Dowling: column 3, lines 50-67).

Claim 7. The design tool of claim 6 (Dowling: abstract; Dowling: abstract with figure 3;  
NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1; NEC:  
page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; NEC: pgs. 19, 27;  
NEC: Figure 2-6, "Pattern Edit Window", page 24, (4), page 37, 3.2.3 sentence 1)  
wherein the display viewer allows storage of a set of messages and cycling between the  
messages at a rate selected by the user (NEC: pg. 20, "Save" command).

Claim 8. The design tool of claim 7 (Dowling: abstract; Dowling: abstract with figure 3;  
NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1; NEC:  
page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; NEC: pgs. 19, 27;  
NEC: Figure 2-6, "Pattern Edit Window", page 24, (4), page 37, 3.2.3 sentence 1; NEC:  
pg. 20, "Save" command) wherein the display viewer allows scrolling of a displayed  
message at a rate selected by the user (NEC: figures 2-6, 2-8, 2-9, scroll bars at right  
side of windows allows scrolling through the messages).



Claim 9. The desire tool of claim 8 (Dowling: abstract; Dowling: abstract with figure 3; NEC: figure 2-6, "Pattern Edit Window", pg. 24, (4), page 37, 3.2.3, sentence 1; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; NEC: pgs. 19, 27; NEC: Figure 2-6, "Pattern Edit Window", page 24, (4), page 37, 3.2.3 sentence 1; NEC: pg. 20, "Save" command; NEC: figures 2-6, 2-8, 2-9, scroll bars at right side of windows allows scrolling through the messages) wherein the display viewer includes a set of editing tools to allow modification of display characteristics, the editing tools (NEC: page 20, Edit Menu and page 21, Palette Menu, pages 34-36, "Editing Palette" and description) allowing specification of inter word spacing, intercharacter spacing and spacing surrounding punctuation characters.

Claim 10. A method of display design (Dowling: abstract) for a dot matrix display device comprising the steps of: creating a character set design in response to selection by a user of each of a set of character from a character list (NEC: page 31, Figure 3-1 and description) and specification of pixel values for the character in a matrix designer providing a visual model of an array of available locations for the character; displaying a message using the selected character set design, the display of the message presenting text specified by the user and being presented as the message would appear in an operating display using the selected character set design (NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39) and exhibiting operating characteristics chosen in response to user specifications and modifying aspects of the design in response to user selections, the appearance of the display of the message

Art Unit: 2123

being immediately (Dowling: column 1, lines 40-44) altered to reflect each user selection.

Claim 11. The method of claim 10 (Dowling: abstract; NEC: page 31, Figure 3-1 and description; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; Dowling: column 1, lines 40-44) wherein the step of displaying a message includes displaying a first message simultaneously with a second message and independently modifying characteristics of each displayed message to allow comparison between the two displayed messages (NEC: figure 2-6, "Pattern Edit Window", pg 24, (4) and figure 2-8).

Claim 12. The method of claim 11 (Dowling: abstract; NEC: page 31, Figure 3-1 and description; NEC: page 31, figure 3-1 and description; Dowling: column 1, lines 27-39; Dowling: column 1, lines 40-44; NEC: figure 2-6, "Pattern Edit Window", pg 24, (4) and figure 2-8) and further including displaying representation of a hardware display limit using the character set design and modifying selected features of the representation in response to user selections, tools (NEC: page 20, Edit Menu and page 21, Palette Menu, pages 34-36, "Editing Palette" and description) the modifications including modifications to features of the character set design and the operating characteristics of the hardware display unit being represented each modification being immediately (Dowling: column 1, lines 40-45) displayed upon entry of a corresponding user selection.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

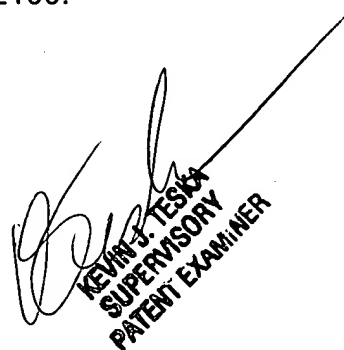
***Correspondence Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715, Monday-Friday (8:00 am- 4:30 pm) or contact Supervisor Mr. Kevin Teska at (571) 272-3716. Fax number is 571-273-3715.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

March 17, 2005

THS

  
KEVIN J. TESKA  
SUPERVISORY  
PATENT EXAMINER